

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EMMANUEL WYATT, et al.,

Plaintiffs,

v.

COUNTY OF STANISLAUS, et al.,

Defendants.

Case No. 1:21-cv-00455-ADA-SAB

ORDER ADDRESSING STIPULATION
FOR REFERRAL TO VOLUNTARY
DISPUTE RESOLUTION PROGRAM

(ECF No. 39)

On March 18, 2021, Plaintiffs Emmanuel Wyatt and Makeda Wyatt (collectively “Plaintiffs”) initiated this civil action against Defendants County of Stanislaus, Diana Torres, Araceli Figueroa, social worker Jones, Denise Aguilar, Julie Bartlett, and Claudia Llamas (collectively, “Defendants”). (ECF No. 1.) On July 25, 2023, the parties filed a stipulation to elect referral to the Voluntary Dispute Resolution Program (“VDRP”). (ECF No. 39.)

Pursuant to the Local Rules of the Eastern District of California, if all parties stipulate to using the VDRP, they must file a stipulation and order for VDRP Referral. L.R. 271(i). The Stipulation and Order for VDRP Referral must:

(A) specify the time frame within which the parties propose the VDRP process will be completed and the date by which the Neutral must file confirmation of that completion;

(B) suggest and explain any modifications or additions to the case management plan that would be advisable because of the reference to the VDRP; and

(C) describe any pretrial activity, e.g., specified discovery or motions, that shall be completed before the VDRP session is held or that shall be stayed until the VDRP session is concluded.

L.R. 271(i). The stipulation filed by the parties does not address the areas required by the Local Rule. See e.g. Kamalu v. Walmart Stores, Inc., No. 1:13-cv-00627-SAB (E.D. Cal. Apr. 7, 2014) (stipulation and proposed order for referral to VDRP). An action will not be referred to the VDRP unless the parties file a stipulation that complies with Rule 271(i).

Furthermore, the parties are advised that, should they wish to set a settlement conference in lieu of participating through the VDRP, they may contact the Courtroom Deputy for assistance in scheduling a conference with an available Judge.

IT IS SO ORDERED.

Dated: July 28, 2023


UNITED STATES MAGISTRATE JUDGE